IN THE HIGH COURT OF JUDICATURE OF ANDHRA PRADESH
AT HYDERABAD
(Special Original Jurisdiction)

MONDAY THE TENTH DAY OF DECEMBER
TWO THOUSAND AND SEVEN
: PRESENT :
THE HON'BLE SRI JUSTICE: **GODA RAGHURAM**

WRIT PETITION No. 24526 of 2007

Between:

1. Myaam Sudarshan, S/o. Kistaiah
2. Kodiyyaka Prakash, S/o. Laxmaiah
3. Aitha Balaiah, S/o. Rajesham.

..... Petitioners

AND

1. Government of A.P., rep. by its Principal Secretary, Road and Buildings Department, Secretariat, Hyderabad.
2. The District Collector, Nizamabad District, Nizamabad.
3. The Revenue Divisional Officer, Kamareddy, Nizamabad District.
4. The Executive Engineer, Roads and Buildings Department, Kamareddy, Nizamabad District.
5. Kamareddy Municipality, rep. by its Commissioner, Nizamabad.
6. Municipal Council, rep. by its Chair Person, Kamareddy, Nizamabad District.

Respondents

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue Writ order or direction more particularly one in the nature of WRIT OF MANDAMUS, to declare the impugned Notice dt. 5-11-2007 issued by the Respondent No.5 proposing to demolish the houses and shops of the petitioners situated at Sircilla Road, Kamareddy, Nizamabad, as illegal, arbitrary, against to the principles of natural justice and violative of Articles 14, 19, 21 and 300-A of the Constitution of India and consequently set the notice dt. 5-11-2007.

The Petition coming on for admission upon perusing the petition and the affidavit filed herein and upon hearing the arguments of Ms. Padma Sharnappa, Advocate for the Petitioners and of G.P. for Roads & Buildings for the Respondents 1 & 4, G.P. for Revenue for the Respondents 2 & 3 and of Sri Polisetti Radha Krishna – S.C. for the Respondents 5 & 6.

The Court made the following **ORDER:**

" List on Thursday. There shall be no demolition of the petitioner's structures for a period of five (5) days. The petitioners shall produce the originals of the Approved plan along with site area, stated to have been granted by Grampanchayat, Kamareddy. Sri P.Radha Krishna, the learned Standing Counsel shall also produce the entire records relating to the Builder permissions granted to the petitioners and shall also get the Kamareddy Municipality to drop a sketch clearly delineating the extents of violations. It is open to the learned standing counsel to secure the presence of any officials of the Municipality to technically assist him in the matter."

ASSISTANT REGISTRAR

// TRUE COPY //

for ASSISTANT REGISTRAR

..2..

To

1. The Principal Secretary, Road and Buildings Department, Government of A.P., Secretariat, Hyderabad.
2. The District Collector, Nizamabad District, Nizamabad.
3. The Revenue Divisional Officer, Kamareddy, Nizamabad District.
4. The Executive Engineer, Roads and Buildings Department, Kamareddy, Nizamabad District.
5. The Commissioner, Kamareddy Municipality, Nizamabad.
6. The Chair Person, Municipal Council, Kamareddy, Nizamabad District.
7. Sri Polisetti Radha Krishna, Standing Counsel, High Court of A.P., Hyderabad. (**By Spl. Messenger**)
8. Two CCs to G.P. for Roads & Buildings, High Court of A.P.Hyd(OUT)
9. Two CCs to G.P. for Revenue, High Court of A.P.Hyd(OUT)
10. One CC to Sri Padma Sharanappa, Advocate(OPUC)
11. One spare copy.

SAH

HIGH COURT

GRJ

DATED: 10-12-2007

NOTE: LIST ON THURSDAY

ORDER

WP.NO. 24526 OF 2007

DIRECTION

DRAFTED BY: SAH
APPROVED BY:
DRAFTED ON: 11-12-2007

HIGH COURT

GRJ

DATED: 10-12-2007

NOTE: LIST ON THURSDAY

ORDER

WP.NO. 24526 OF 2007

DIRECTION